

### **XXIII. STATE ADVISORY PANEL**

The State of Iowa reaffirms that Iowa has established and maintains an advisory panel for the purpose of providing policy and guidance with respect to special education and related services for children with disabilities in the State. The Director of the Iowa Department of Education appoints members of the advisory panel.

The Iowa Special Education Advisory Panel is representative of the state population and is composed of individuals involved in, or concerned with, the education of children with disabilities. Composition of the panel meets all federal requirements described in this section with a majority of the members being individuals with disabilities or parents of children with disabilities. Current membership lists are maintained and an active recruitment effort is implemented in order to meet this requirement. Terms of panel members are for three years and are staggered to assure a broad base of expertise at all times.

The advisory panel advises the Iowa Department of Education on those functions required by this section and lists those same functions in advisory panel bylaws. The annual report also reflects the mission and duties of the panel. The current bylaws will be amended to add “advising on the education of eligible students with disabilities in adult prisons” (effective February, 2000).

As specified in bylaws, the advisory panel meets at least three times each year, with additional meetings scheduled as necessary. Meetings are held in accord with Official Meetings Open to Public Law. Official minutes are kept on file with the panel secretary and are available to the public upon request. All panel meetings and agenda items are planned and announced well in advance to allow interested parties to attend. Interpreters and other necessary accommodations, e.g., enlarged print, are provided for panel members and participants when the state agency is made aware of such needs. Panel members are reimbursed for expenses such as lodging, meals, mileage, and child care, etc. Each year an annual report is prepared for the state education agency by July 1, which includes panel membership, duties and a summary of major activities and recommendations. This report is distributed among other stakeholder groups and sent to those interested in applying for panel membership.

## **Legal References**

### **Federal Requirements**

|                         |                                  |
|-------------------------|----------------------------------|
| 20 USC 1412(a)(21)..... | State advisory panel             |
| 20 USC 1418.....        | Program information              |
| 34 CFR 300.150.....     | State advisory panel             |
| 34 CFR 300.620.....     | Funds for state administration   |
| 34 CFR 300.650.....     | Establishment of advisory panels |
| 34 CFR 300.651.....     | Advisory panel membership        |
| 34 CFR 300.652.....     | Advisory panel functions         |
| 34 CFR 300.653.....     | Advisory panel procedures        |

### **Iowa Requirements**

|             |          |
|-------------|----------|
| Bylaws..... | Appendix |
|-------------|----------|

## **APPENDIX**

### **Bylaws of the Iowa Special Education Advisory Panel (Approved December 13, 1995) (Revised March 6, 1998)**

#### **Article I Name**

##### **Section 1. Name**

The name of the organization shall be the Iowa Special Education Advisory Panel (herein referred to as the Panel).

##### **Section 2. Authority**

The Panel exists by authority of the Individuals with Disabilities Education Act (IDEA) and as amended.

#### **Article II Purpose**

##### **Section 1. Purpose**

The purpose of the Panel is to advise the Iowa Department of Education with the provision of free and appropriate public education for children with disabilities.

##### **Section 2. Functions**

The functions of the Panel are to:

- a) advise the state educational agency of unmet needs within the State in the education of children with disabilities;
- b) comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities;
- c) advise the State educational agency in developing evaluations and reporting on data to the Secretary under section 618;
- d) advise the State educational agency in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of this Act; and
- e) advise the State educational agency in developing and implementing policies relating to the coordination of services for children with disabilities.

Authority: 20 U.S.C. 141(a)(21)(D)

#### **Article III Members**

##### **Section 1. Membership**

The membership of the Panel shall consist of representatives from public and private sectors who by virtue of their position, interest, and training can contribute to the education of children with disabilities. There shall be at least 15, but no more than 25

members. A majority of the members of the Panel must be individuals with disabilities or parents of children with disabilities.

7. Membership required by IDEA (34 CFR §300.651)

- Parents of children with disabilities
- Individuals with disabilities
- Teachers
- Representatives of institutions of higher education that prepare special education and related services personnel
- State and local education officials
- Administrators of programs for children with disabilities
- Representatives of other State agencies involved in the financing or delivery of related services to children with disabilities
- Representatives of private schools and public charter schools
- At least one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities
- Representatives from the State juvenile and adult corrections agencies

8. Others desired but not required:

- Teacher certified in special education
- Teacher certified in general education
- Parent of a child in general education
- Parent advocacy groups
- Professional educational organizations
- Department of Public Health
- Department of Human Services
- Division of Vocational Rehabilitation
- Board of Regents
- AEA administrator
- Urban Network representative
- AEA director of special education

## **Section 2. Appointments and Selection**

Members of the Panel shall be appointed by the Director of Education (IAC 256.9 (14)). The Director shall ensure that the membership of the Panel is reasonably representative of the State population (34 CFR §300.651). Applications for membership are accepted by the Bureau of Children, Family and Community Services. A Nomination Committee appointed by the Chair will seek nominees to fill vacancies and make recommendations to the Panel.

## **Section 3. Term of Membership**

Term of membership shall be for three years, except those appointments made to fill an unexpired term. Appointments shall be staggered terms of office to ensure that new appointments do not exceed approximately one third of the membership. Members shall not be appointed for more than two consecutive terms.

## **Section 4. Termination**

Failure to attend two Panel meetings in a year shall result in a contact and review by the state educational agency for possible recommendation for termination.

### **Section 5. Designees**

Members unable to attend a Panel meeting may appoint a designee to represent them at official Panel meetings. Attendance by the designee shall not constitute attendance under Article III, Section 4. Designees may exercise the rights and privileges of the member represented. If expenses of designees are to be reimbursed, the Panel facilitator must be notified prior to the meeting.

### **Section 6. Nondiscrimination statement.**

It is the policy of the Iowa Department of Education not to discriminate on the basis of race, color, national origin, gender, disability, religion, creed, age or marital status in its programs or employment practices. If you have questions or grievances related to this policy please contact Chief, Bureau of Administration and School Improvement Services, Grimes State Office Building, Des Moines, IA 50319, (515)281-5811.

## **Article IV**

### **Meetings and Procedures**

#### **Section 1. Meetings**

The Panel shall meet at the call of the Chair and there shall be at least three meetings each year, with additional meetings scheduled as necessary. Meetings shall be held in accord with the Official Meetings Open to Public Law IAC, Chapter 21.

#### **Section 2. Panel Procedures**

Panel procedures shall include the following (34 CFR §300.653):

- a) By July 1 of each year the Panel shall submit an annual report of Panel activities and suggestions to the state educational agency which shall be available to the public in a manner consistent with other public reporting requirements of Part B of the Act.
- b) Official minutes must be kept on all Panel meetings and shall be made available to the public on request.
- c) All Panel meetings and agenda items shall be publicly announced prior to the meetings, and the meetings shall be open to the public.
- d) Accommodations for persons with disabilities will be provided with advance notice.
- e) Panel members shall serve without compensation, but the state educational agency shall reimburse the Panel members for reasonable and necessary expenses and services for attending meetings and performing duties.

#### **Section 3. Agenda Items**

Any item that requires action by the Panel should be submitted to the Chair at least two weeks prior to the scheduled meeting.

## **Article V**

## Chair

### **Section 1. Chair**

The Chair shall preside at all meetings and shall exercise general governance over the Panel. On July 1 the Vice-Chair shall assume the office of Chair for one year. The Chair shall appoint a Nomination Committee to assist in filling vacancies on the Panel.

### **Section 2. Vice-Chair**

The Vice-Chair shall assume the role of Chair in the absence of the Chair. The Vice-Chair shall be elected by a simple majority of members present and voting at the last regularly scheduled meeting prior to June 30. On July 1 the Vice-Chair shall assume office for one year and then shall assume the position of Chair the following year. Should a vacancy occur a Vice-Chair shall be elected by a simple majority of members present and voting to fulfill the remaining term of office.

## Article VI Committees

### **Section 1. Establishing Committees**

The Chair may establish committees or work groups as deemed necessary to carry out tasks designated by the Panel. Each committee or work group must include at least two Panel members and must be chaired by a Panel member.

### **Section 2. Resources for Committees**

The state educational agency shall provide resources to the committees or work groups as stipulated in the approved Part B Application and Budget.

## Article VII General Provisions

### **Section 1. Parliamentary Procedures**

- a) A quorum shall consist of a simple majority of the membership of the Panel.
- b) Questions put to vote shall be decided by a simple majority of members present and voting.
- c) Matters may be introduced for consideration by any member, by the Chair, or by designated staff. Motions must be seconded for consideration.
- d) Items not specified by law, rules or bylaws shall be governed by Robert's Rules of Order (Revised).

### **Section 2. Amendments**

Bylaws may be amended by a two-thirds (2/3) majority vote of members present and voting. Proposed changes to the bylaws must be submitted in writing to the membership a minimum of thirty (30) days prior to the vote.

### **Section 3. Staff and Services**

The state educational agency shall provide designated staff and services to the Panel.

**Section 4. Conflict of Interest**

No member of the Panel may cast a vote on any matter that would provide direct financial benefit to that member, their family, representative organization or otherwise give the appearance of a conflict of interest.